

STATEMENT OF THE CASE

Meghan Lea Browning appeals from her conviction for Criminal Recklessness, as a Class A misdemeanor, following a bench trial. Browning raises a single issue for our review, namely, whether the State presented sufficient evidence to support her conviction.

We affirm.

FACTS AND PROCEDURAL HISTORY¹

On September 2, 2007, Brittany Will was driving west on the Lloyd Expressway in Vanderburgh County. Will exited to turn left onto Weinbach, and she pulled behind Browning in the left turn lane. When the light turned green, Will noticed that Browning could not see the change because Browning was leaning over her front passenger's seat. Will tapped her horn, Browning noticed the light change, and both vehicles proceeded through the intersection.

However, at the next intersection, Browning and Will were parallel to each other with Browning in the left lane. Browning began yelling profanities and threats at Will, and Will attempted to drive away. When she did so, Browning swerved her vehicle in front of Will's. Browning's act caused her to run up onto the curb and "pop[]" one of her tires. Transcript at 29.

Will drove around Browning's vehicle and drove quickly through the next several streets with Browning chasing her. At a stop sign, Browning rammed into the back of

¹ The fifteen-page Statement of Facts contained in Browning's appellate brief consists exclusively of quotations from witness testimony. Such an approach to drafting a statement of facts for this court's review is contrary to our appellate rules and we therefore do not consider it. See Ind. Appellate Rule 46(A)(6)(c) ("The statement [of facts] shall be in narrative form and shall not be a witness by witness summary of the testimony.").

Will's vehicle. Browning then approached Will while Will was still inside her vehicle, and Browning grabbed Will's shirt and tried to pull Will out of her car. An onlooker called the local police and Browning was arrested.

On November 19, 2007, the State charged Browning with criminal recklessness, as a Class A misdemeanor. The court held a bench trial on May 20, 2008, after which it found Browning guilty as charged. The court then imposed a one-year suspended sentence and a six-month suspension of Browning's driver's license. The court stayed Browning's sentence pending this appeal.

DISCUSSION AND DECISION

The only issue raised by Browning on appeal is whether the State presented sufficient evidence to support her conviction for criminal recklessness, as a Class A misdemeanor. When reviewing a claim of sufficiency of the evidence, we do not reweigh the evidence or judge the credibility of the witnesses. Jones v. State, 783 N.E.2d 1132, 1139 (Ind. 2003). We look only to the probative evidence supporting the judgment and the reasonable inferences that may be drawn from that evidence to determine whether a reasonable trier of fact could conclude the defendant was guilty beyond a reasonable doubt. Id. If there is substantial evidence of probative value to support the conviction, it will not be set aside. Id.

To prove that Browning committed criminal recklessness, as a Class A misdemeanor, the State was required to prove beyond a reasonable doubt that Browning “recklessly, knowingly, or intentionally perform[ed] an act that creat[ed] a substantial risk of bodily injury to another person . . . us[ing] a vehicle.” See Ind. Code § 35-42-2-

2(b), (c)(1) (2007). Browning argues that the State’s evidence at her trial “merely tends to support a conclusion of guilty” and therefore must be reversed. Appellant’s Brief at 18 (emphasis removed). The State asserts that Browning is requesting this court to reweigh the evidence. The State is correct.

The State presented sufficient evidence to support Browning’s conviction. The facts described above are from Will’s testimony, and it is well-established in Indiana that “[t]he uncorroborated testimony of even one witness is sufficient to support a conviction. This is true even though the witness in question is the victim.” Thompson v. State, 612 N.E.2d 1094, 1098 (Ind. Ct. App. 1993) (citations omitted), trans. denied. Browning’s arguments on appeal suggest that other evidence diminishes the import of Will’s testimony. However, that argument is, in essence, nothing more than a request for this court to reweigh the evidence, which we cannot do. See Jones, 783 N.E.2d at 1139. Rather, we look only to the evidence supporting the judgment. Id. Under that standard of review, the State presented sufficient evidence to demonstrate that Browning recklessly used a vehicle in a manner that created a substantial risk of bodily injury to another, and we must affirm her conviction.

Affirmed.

BAKER, C.J., and KIRSCH, J., concur.